

04 NCAC 24B .1002 is proposed for amendment as follows:

**04 NCAC 24B .1002      CLAIMANT REEVALUATION OF DEBT**

(a) A claimant requesting a reevaluation of ~~their~~ his or her debt shall submit a written request to DES's Benefits Integrity Unit ~~by mail to Post Office Box 25903, Raleigh, NC 27611-5903, or facsimile to (919) 733-1369.~~ pursuant to 04 NCAC 24A .0104(j).

(1) The written request shall explain why the debt should not be referred to the Treasury Offset Program (TOP) for collection.

(2) The written request shall be accompanied by documents or other clear and convincing evidence that shows:

(A) the identity of the individual to whom the debt is assigned is incorrect; ~~and~~ or

(B) the amount of the debt is inaccurate.

(b) The Assistant Secretary or designee shall consider the evidence submitted by the claimant.

(c) The Assistant Secretary or designee shall issue a written decision on the request for reevaluation. The written decision shall be mailed or sent by electronic transmission to the claimant and include the following:

(1) whether the debt shall be referred to TOP; and

(2) reasons for the decision.

*History Note:*      *Authority G.S. 96-4; 96-18; 31 CFR 285; ~~26 U.S.C. 6402~~; 31 U.S.C. 3716;*  
*Eff. July 1, 2015;*  
*Amended Eff. July 1, 2018.*